

M105710006

Mike

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JUN 30 2015

Form MR-REV-att (DOGM - Revise/Amend Change Form)
(Revised September 14, 2005)

DIV. OF OIL, GAS & MINING

Application for Mineral Mine Plan Revision or Amendment

Operator: C.E. BUTTERS REALTY & CONST.

Mine Name: TOWERS SANDGRAVEL LMO

File Number: M/5700061

Provide a detailed listing of all changes to the mining and reclamation plan that will be required as a result of this change. Individually list all maps and drawings that are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise or amend the existing Mining and Reclamation Plan. Include page, section and drawing numbers as part of the description.

DETAILED SCHEDULE OF CHANGES TO THE MINING AND RECLAMATION PLAN

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	APPENDIX S Summary NOTES ADDED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	PAGE 6 - NOTES ADDED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	PAGE 11 - NOTES ADDED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	PAGE 12 - NOTES ADDED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	PAGE 13 - NOTES ADDED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	APPENDIX B-1 - NOTES ADDED TO DOGM Doc
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	APPENDIX B-2 - NOTES ADDED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	APPENDIX C-2 - AREA OF RECYCLE PILES NOTED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	APPENDIX S (PAGE 2) NOTES ADDED
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments and obligations, herein.

KEVIN BUTTERS

Print Name

K. B. MGR

Sign Name, Position

6/30/15

Date

Return to:

State of Utah
Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801
Phone: (801) 538-5291 Fax: (801) 359-3940

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FOR DOGM USE ONLY:

File #: M/ /

Approved: _____

Bond Adjustment: from (\$)

to \$ _____

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Appendix S Bonding Calculations

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Towers Pit

Direct Costs

Subtotal Demolition and Removal	\$82,271.12	< includes asphalt road removal
Subtotal Backfilling and Grading	\$561,918.61	
Subtotal Revegetation	\$127,000.00	
Direct Costs	\$771,189.73	

Indirect Costs

Mob/Demob	\$77,119.00	10.0%
Contingency	\$38,559.00	5.0%
Engineering Redesign	\$19,280.00	2.5%
Main Office Expense	\$52,441.00	6.8%
Project Management Fee	\$19,280.00	2.5%
Subtotal Indirect Costs	\$206,679.00	26.8%

Total Cost 2010 \$977,868.73

Number of years 2016

Escalation factor

Escalation \$37,134.26

Reclamation Cost Escalated \$1,015,002.99

Bond Amount (rounded to nearest \$1,000)
2016 Dollars \$1,015,000.00

Posted Bond - collateral 1,370,000 / 1.35 \$1,014,814.81

Difference Between Cost Estimate and Bond
Percent Difference -\$185.19

Have the land, mineral and adjacent land owners been notified in writing?

No. no notification has been given for expanding permit – Mine has been in operation for more than 100 yrs. It has also been decided in court that this operation is a nonconforming use, Also Staker Parsons is an adjacent Sand and Gravel operation of near identical operation. Numerous notices have been sent to all surrounding property owners during the course of 20+ yrs of zoning changes/disputes, conditional permits, public hearings on land use, zoning, nonconforming use etc.

We have also had a small mining permit for more than 15 years,

Does the Permittee / Operator have legal right to enter and conduct mining operations on the land covered by this notice? Yes – This mine has been established through numerous court cases as a legal non conforming use. Towers began operations as early as 1902. Various aspects of Pleasant View City's new and revised ordinances are being challenged in court.

Operation Plan

Minerals to be mined: Sand and Gravel products from both alluvial deposits and fractured bedrock. Products include: Sand, Landscape rock 2' to 16', 3/8" to 4" Gravel, 3/4" to 2" road base, railroad ballast, Clay, Alluvial fills and bank runs, 2" to 8" engineered fills, 6" to 2' rip rap and others per market conditions.

106.2 – Type of Operation Conducted:

This is a sand and gravel operation including

Excavation of Bank runs - Crushing & Screening, Blasting, and also recycling,
In the future we plan to have both portable concrete and portable asphalt plants

Recycling includes concrete,
asphalt and fill materials

** SEE
COVER LETTER*

Operation Practices

- 1) There are no shafts or tunnels.
- 2) The site is fenced to prevent unauthorized access or injury.
- 3) All fences and gates have clearly posted no trespassing signs and applicable warnings
- 4) Drainage channels are piped or rip rapped to reduce erosion.
- 5) Fuel is stored in tanks. Fuel tanks have containment berms (capable of containing 110% of capacity) in case of leakage.

106.3 – Estimated Acreage

Total Acres in mine

Identifier	Serial #	Acres
A	19-001-0018	7.5
B	19-001-0016	61.1
C	19-001-0015	71.2
D	19-001-0007	2.07
Total acres		141.87

Maximum number of acres
disturbed at any given time 90

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1110.1 – Current land use and post mining land use

Historical use = Urban agriculture (grazing) and mining

Current use = Minor urban agriculture (grazing) and mining

Reclamation use = urban agriculture and urban open space

Final Use =?? Hillside residential – see appendix H-2 pleasant view future land use

Land has been used as a sand and gravel operation for more than 100 yrs. (Since 1902) The land has also been used as pasture. There are also three communication facilities on the site. Only one is currently in use and this one will remain indefinitely. Final Future land use is likely to be urban Residential development but current reclaimed use is urban agriculture and urban open space.

Rolling permit area or Flexible phasing

Our surety calculations deal only with returning 90 acres to pre-mining use. This is the worst case scenario. Calculations are based on returning sixty disturbed acres back into native grassed flats and steep rocky slopes. No more than 90 acres will be disturbed at any one time without revision to the mining plan and surety. Several areas may need to be mined and reclaimed multiple times to reach final grades, 300+ foot cuts take time. Throughout the 30+ yr life expectancy of the pit, there will be no more 90 disturbed acres with the rest of the property being reclaimed either temporally or permanently, with native grasses. (Rolling 90 acres includes mine area and areas that are not fully re-vegetated either temporarily or permanently.) The final 90 acres at the end of the pits life will most likely adopt a new fully approved use as an urban area. This urban area will be re-vegetated to agricultural use until a fully approved urban use is ready to take its place.

110.2 – Reclamation of roads, high walls, slopes, leach pads, dumps, etc.

High walls will become approximately 1 to 1 slopes and will be re-vegetated or left as rock slopes and used as open space. The greatly enhanced nearly flat area will be used for the urban agriculture and open space. See appendix "H"

Several of the roads will remain to provide access to neighboring properties, the communication towers and the areas for grazing or other approved future use. Several of the roads are for general access and firebreaks/fire fighting.

-There have been numerous fires started by activities other than mining, like lightning, fireworks, and electrical fires from the communication tower construction. –

The exact location, alignment and elevation of these general purpose roads will change during construction but the need for them will continue even under non mining use. There is a provision for removing some roads approximately two acres worth in the reclamation plan and surety calculations but most of the roads "outside the disturbed area" such as the perimeter roads shown in Appendix "H" will remain, although some realignment and relocation will occur.

The remaining rock catchment will not only protect those at the bottom of the slopes but will also act as storm water detention. Storm water flows will exit at the south west corner of the property through 150 feet of 24" pipe. An adjustable waterman gate will regulate flows and an overflow spill way will be provided. Final detention capacity is 723,000 cubic feet – see appendix G6 for calculations and H1 for location

110.3 – Surface facilities to be left

Asphalt removed from non permanent roads

Fence will remain at top of final slope for safety and neighborhood security. Regional and fire access roads will remain until replaced by paved roads. All equipment and buildings are portable and easily relocated offsite. No other facilities will remain and all areas will either be sloped and re-vegetated as urban open space or incorporated into probable urban development. Pleasant View City and UDOT are planning a major arterial along the southern border of the pit area

110.4 – Treatment, location and disposition of deleterious materials

There are no deleterious materials being generated. If there are some such as spilled fuel it will be processed onsite in a treatment cell. We have treated 30K plus tons from other sources already. Other materials like asphalt will be recycled. - again note asphalt recycling and land farming noticed and approved

110.5 – Re-vegetation planting program and topsoil redistribution

Slopes which are not bedrock will be covered with 3 inches of topsoil using shooter truck and tracked equipment. This will occur over areas that have at least 18 inches of permeable soil and are not consolidated rock. Non-sloped areas will be ripped to a depth of 12". Topsoiled areas will be reseeded with the seed mix indicated in appendix "F-8". Initial seeding will be broadcast. If this does not generate sufficient growth (it has worked well so far) hydro seeding with tackifier and mulch will be used. No need for fertilization is anticipated, as all areas will have good topsoil.

Sloped areas where the final grades encounter rock will be left as such. These rock outcroppings will add character to the landscape and slopes and blend with the numerous existing outcroppings on the hillside. It's the reason the hillside peninsula which juts out from Mount Ben Lomond is called "rocky point"

The flatter area at the bottom of the slopes will be suitable for agricultural grazing and will have 3" of topsoil placed over at least 18" of suitable soil and will be seeded with grass hay suitable for grazing. Flat areas that are predominantly rock will be left as rock or covered with 18" of suitable soil and 3" of topsoil as necessary to accomplish overall re-vegetation goals.

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IX. Rule R647-4-113 – SURETY

Calculations for

Worst Case Abandonment

With high walls and no reclamation performed on up to 90 acres
which is the maximum open area

Assumes 1000 lineal feet of 150 ft high highwall

250,000 unsaleable yards of stockpiles – has value of \$6 yd³ minimum but we can call it waste

With 20% of the piles needing movement to flatten

We assume paying to haul the scrap metal even though it very valuable

includes
removal
of unprocessed
recycleables


Estimated surety amount \$see appendix S

We have estimated this high and very worst case to hopefully get this done

And dividing the collateral value by 1.35 for 10% sales costs / 25% interest costs which is also high means

See Surety calculations appendix S

Respectfully submitted


Kevin Butters – Mgr.

5-6-2013
Date

Please Call Kevin @ 801-940-6100 with any questions or comments

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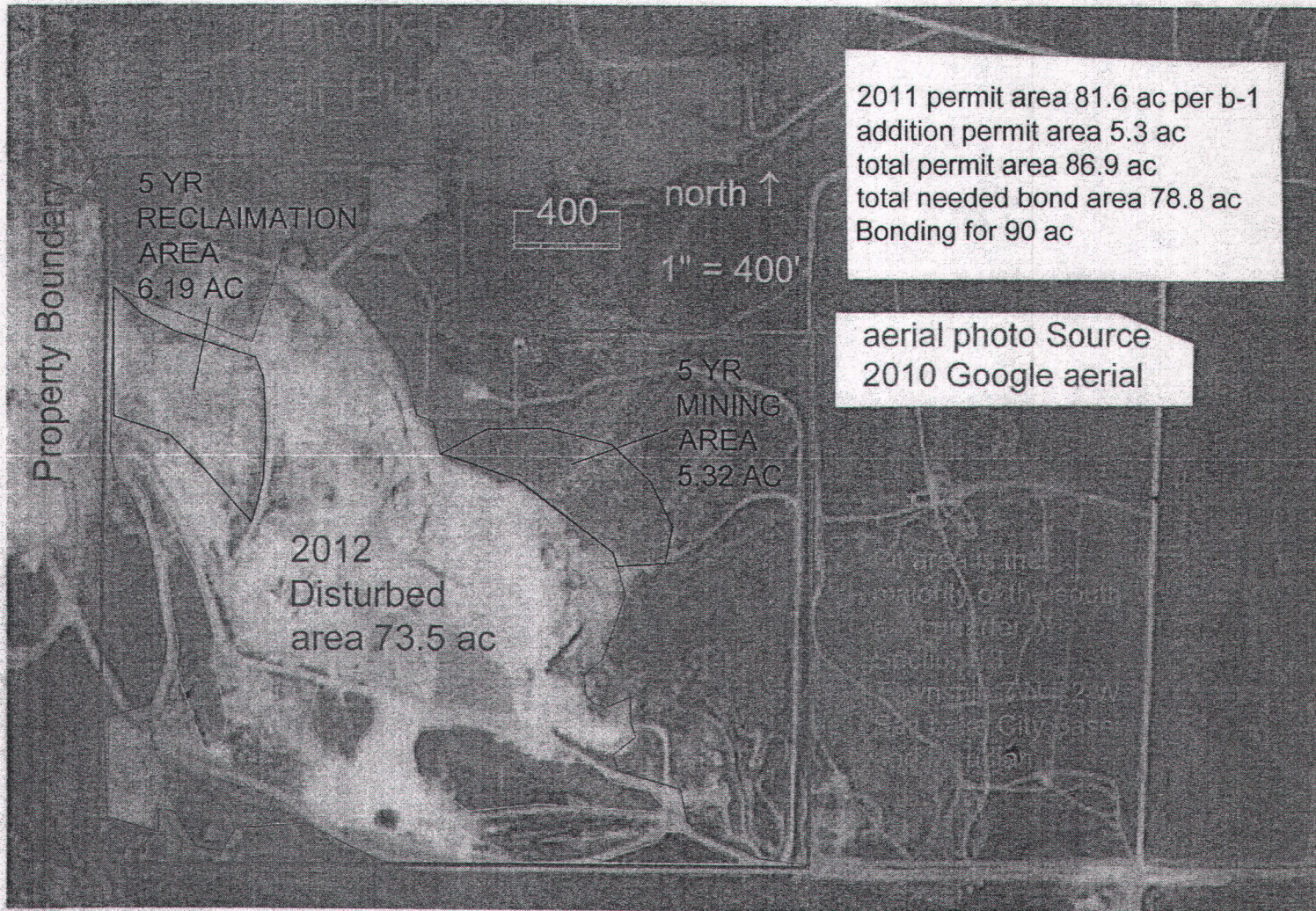
SHOWS TOPSOIL AREAS

B-1

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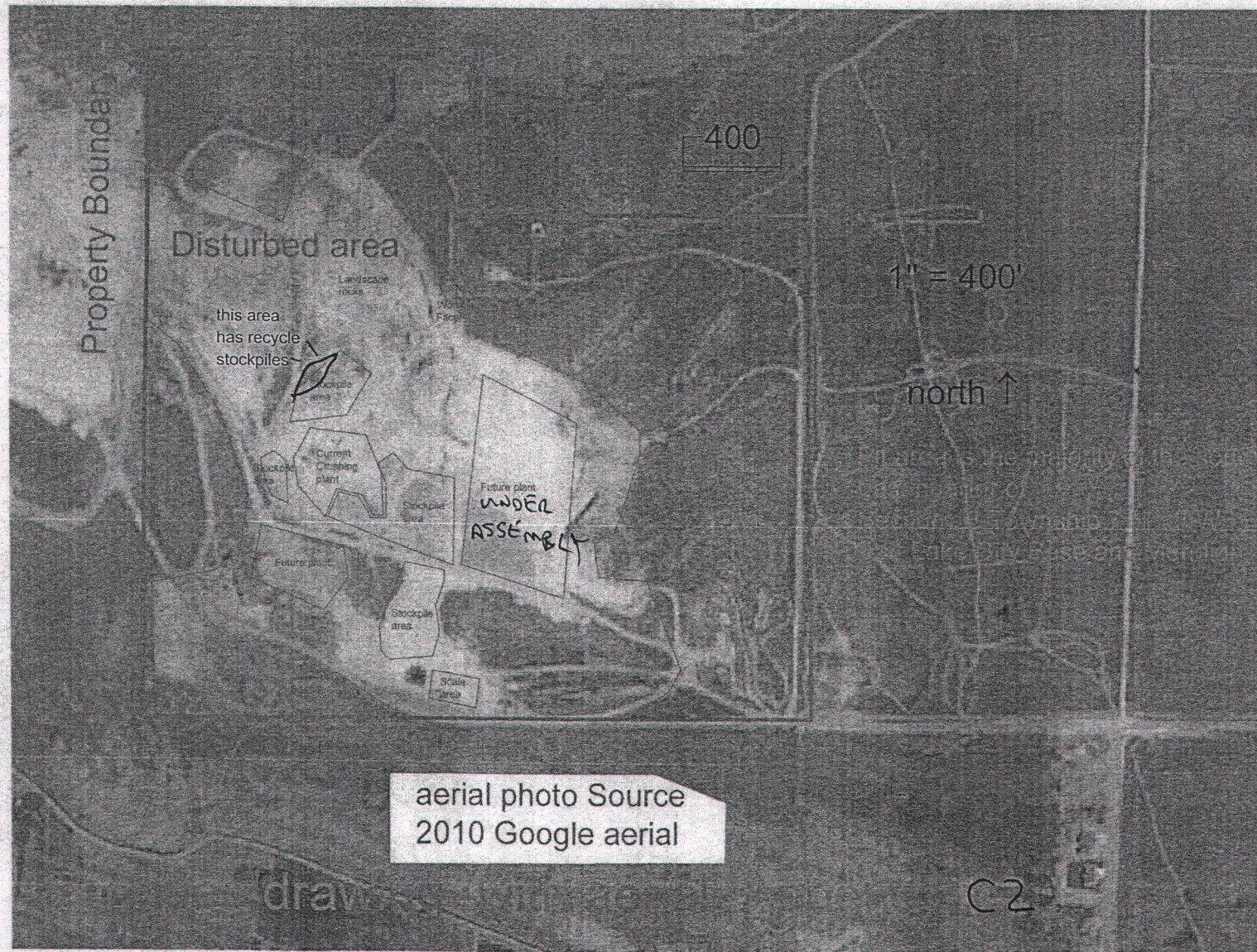
STILL
OPERATING
PER 5 YR
PLAN

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Backfill and Grading

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rate

Blasting and shaping high wall to 1 to 1 slope
Cut benches for blasting if current not present contingency
400 size excavator

1000 lf by 15 feet wide by 10 feet high avg

5555.5556 yd3

\$2.42

\$13,444.44

means code 312316131030

collapse highwall 1000 feet long by 150 ft high - 20 ft pattern

104167 yd3

\$1.00

\$104,167.00

250 holes @ 30 ft depth

we are currently paying \$0.65 per yd3 for a much tighter pattern

Regrade collapsed highwall @ 20% with dozers

means code 312316465020

20866 yd3

\$1.58

\$32,968.28

collapse subtotal

\$150,579.72

provisions for
flattening and
smoothing stockpiles
includes
recyclables

it is highly unlikely that saleable product will remain but this is provided for worst case surety purposes
Flatten stock piles avg move less than 15 feet

means code 312316465020

50000 yd3

\$1.58

\$79,000.00

recut bench on hilside to facilitate topsoil placement

1000 lf by 15 feet wide by 10 feet high avg 2 benches

11111.111 yd3

\$2.42

\$26,888.89

means code 312316131030

Spread topsoil with shooter truck over 90 acres

71383 yd3

rate is 24 yd3 hr per truck need 4 trucks

2980 hrs

80.00

238,400.00

and one loader

745 hrs

90.00

67,050.00

we currently pay \$80 per hr to rent this truck with operator

305,450.00

\$561,918.61